

Dear Senators HEIDER, Nuxoll, Bock, and
Representatives WOOD, Perry, Rusche:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Bureau of Occupational Licenses - State Board of Podiatry:
IDAPA 24.11.01 - Rules of the State Board of Podiatry (**Fee Rule**) - Proposed Rule (Docket No. 24-1101-1401).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 09/22/2014. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 10/21/2014.

The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the memorandum attached below.



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee
FROM: Principal Legislative Research Analyst - Brooke Brouman
DATE: September 03, 2014
SUBJECT: Bureau of Occupational Licenses - State Board of Podiatry

IDAPA 24.11.01 - Rules of the State Board of Podiatry (**Fee Rule**) - Proposed Rule (Docket No. 24-1101-1401)

The Bureau of Occupational Licenses submits notice of proposed fee rulemaking on behalf of the State Board of Podiatry. The proposed rule establishes requirements for inactive license status and an inactive license fee of \$250.

The Bureau's cost/benefit analysis states that the impact of the proposed fee rule on the dedicated fund will depend on the number of licensees who choose to convert active licenses to inactive licenses or choose an inactive license instead of not renewing.

Negotiated rulemaking was not conducted because the rule was prompted by and is consistent with House Bill 356 passed during the 2014 legislative session. No opposition to the proposed fee rule is anticipated.

The Board's proposed fee rule is authorized by Section 54-605, Idaho Code.

cc: Bureau of Occupational Licenses - State Board of Podiatry
Tana Cory

PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: BUREAU OF OCCUPATIONAL LICENSES

Agency Contact: Cherie Simpson Phone: 208 334-3233

Date: August 8, 2014

IDAPA, Chapter and Title Number and Chapter Name:

24.11.01 – RULES OF THE STATE BOARD OF PODIATRY

Fee Rule Status: Proposed Temporary

Rulemaking Docket Number: 24-1101-1401

STATEMENT OF ECONOMIC IMPACT:

The impact on the dedicated fund will depend on the number of licensees who choose to convert active licenses to inactive licenses or choose an inactive license instead of not renewing.

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.11.01 - RULES OF THE STATE BOARD OF PODIATRY

DOCKET NO. 24-1101-1401 (FEE RULE)

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-605, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than September 17, 2014.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

House Bill 356 passed in the 2014 Legislative Session allows the Board to adopt by rule an inactive license status. The Idaho Board of Podiatry is establishing rules and a renewal fee for an inactive license status.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

Rule 300 is being amended to add a renewal fee of \$250 for an inactive license.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

This rulemaking will have no impact on general funds. The impact on the dedicated fund will depend on the number of licensees who choose to convert active licenses to inactive licenses or choose an inactive license instead of not renewing.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the passage of House Bill 356 allows the board to establish rules regarding an inactive license status. The additions to the rule establish a renewal fee for an inactive license and the process for placing a license on inactive status. The additions to the fee rule are simple in nature and confer a benefit to the licensees. No opposition to this proposed rule is anticipated.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 24, 2014.

DATED this 8th Day of August, 2014.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State St.
P O Box 83720
Boise, ID 83720-0063
Tel: (208) 334-3233 / Fax: (208) 334-3945

THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 24-1101-1401
(Only those Sections being amended are shown.)

300. FEES (RULE 300).

- 01. Application Fee.** A fee shall accompany all applications. The fee shall be two hundred dollars (\$200). (7-1-97)
- 02. Original License Fee.** The original license fee shall be four hundred dollars (\$400). (4-9-09)
- 03. Written Exam Fee.** The fee for examination shall be equal to that charged by the national examining entity and shall be paid directly to the examination provider. (3-20-14)
- 04. Annual Renewal Fee.** Fee for annual renewal of licenses, five hundred dollars (\$500). (3-21-12)
- 05. Annual Renewal Fee for Inactive License. Annual renewal fee is two hundred fifty dollars (\$250).** ()
- 06. Fee Non-Refundable.** All fees are non-refundable, except that if a license is not issued, the license fee will be refunded. (3-20-14)

(BREAK IN CONTINUITY OF SECTIONS)

411. -- ~~424~~. (RESERVED)

425. INACTIVE STATUS (RULE 425).

- 01. Request for Inactive Status. Each person requesting an inactive status during the renewal of their active license must submit a written request and pay the inactive license fee.** ()
- 02. Inactive License Status.** ()
- a. All continuing education requirements will be waived during the time that a licensee maintains an inactive license in Idaho.** ()
- b. Inactive license renewal applications and licenses will be marked "Inactive."** ()
- c. When the licensee desires active status, the licensee must show acceptable fulfillment of continuing education requirements for the previous twelve (12) months and submit a fee equivalent to the difference between the inactive and active renewal fee.** ()
- d. A licensee shall not practice in Idaho while on inactive status.** ()

426. -- 449. (RESERVED)